



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX – PACIFIC SOUTHWEST REGION  
75 Hawthorne Street  
San Francisco, CA 94105-3901

VIA CERTIFIED MAIL  
No.7015 0640 0001 1122 2073  
RETURN RECEIPT REQUESTED

Ms. Diana Lang  
HSE Manager  
Beta Operating Company, LLC  
111 West Ocean Blvd., Suite 1240  
Long Beach, CA 90802

NOV 19 2018

RE: Request for Information under Clean Water Act (CWA) Section 308(a) – Beta Operating Company, LLC, EPA Docket No. CWA-308-9-18-001

Dear Ms. Lang:

The U.S. Environmental Protection Agency, Region IX (“EPA”) is requesting information from Beta Operating Company, LLC dba “Beta Offshore” regarding Platforms Ellen (Facility No. CAF001147), Elly (Facility No. CAF001148) and Eureka (Facility No. CAF001149) (“Facilities”). The Facilities are subject to NPDES General Permit CAG280000 *Authorization to Discharge under the National Pollutant Discharge Elimination System for Oil and Gas Exploration, Development, and Production Facilities*.

EPA has received documentation alleging Beta Offshore has discharged debris and paint chips directly to the Pacific Ocean in violation of NPDES Permit CAG280000. Documentation specifically references surface preparation and sandblasting activities at Platform Eureka from April 2014 through July 2014 conducted without adequate containment, resulting in a large plume of debris and paint chips floating on the ocean surface. Pursuant to the Agency’s information-gathering authority under Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, EPA hereby requests that Beta Offshore provide the information specified in the attached Request for Information, Attachment 1, by January 7, 2019.

Please send your response either via email to [Tinger.John@epa.gov](mailto:Tinger.John@epa.gov) or by certified mail, return receipt requested, to the following address:

John Tinger  
U.S. EPA Region IX  
Enforcement Division (ENF 3-1)  
75 Hawthorne Street  
San Francisco, CA 94105

All submittals in response to this letter must be accompanied by the following certification signed by a responsible corporate officer or authorized representative in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

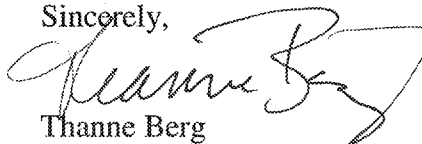
Beta Offshore may not withhold from EPA any information on the grounds that it is confidential business information. However, you may assert, at the time of submission, a claim of business confidentiality for part or all of the requested information by following the requirements at 40 C.F.R. § 2.203(b). EPA will not disclose business information covered by such claim except as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of business confidentiality accompanies your submission, EPA may make the information available to the public without further notice to you. All confidentiality claims are subject to EPA verification.

Failure to comply with this Request for Information can result in an enforcement action for appropriate remedies, including penalties, under CWA § 309, 33 U.S.C. § 1319. Compliance with this Request for Information does not relieve Beta Offshore of its obligation to comply with the CWA or other applicable laws and permits.

The Request for Information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is directed to fewer than ten persons and is therefore not a "collection of information" under 44 U.S.C. § 3502(3). It is also an exempt activity under 44 U.S.C. § 3518(c) and 5 C.F.R. § 1320.4.

Thank you for your cooperation and prompt attention to this letter. If you have any questions regarding this Request for Information, please contact John Tinger of the Enforcement Division at 415-972-3518 or [Tinger.John@EPA.gov](mailto:Tinger.John@EPA.gov). Please direct any legal questions to Desean Garnett of the Office of Regional Counsel at 415-972-3046 or [Garnett.Desean@EPA.gov](mailto:Garnett.Desean@EPA.gov).

Sincerely,



Thanne Berg

Acting Assistant Director, Water & Pesticides Branch

Enclosure

cc (via email): Mr. James Salmons, BSEE; Pacific OCS Region

## **ATTACHMENT 1: Request for Information, EPA Docket No. CWA-308-9-18-001**

Under the authority of Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), the United States Environmental Protection Agency, Region IX (“EPA”) requests Beta Offshore to provide to EPA the information described below (“Request for Information”) for its Platforms Ellen, Elly, and Eureka.

### **INSTRUCTIONS**

1. **Separate Response for Separate Question.** Provide a separate narrative answer to, and segregate responsive documents by each question or its subpart. Precede each answer with the number of the corresponding question or its subpart.
2. **Best Information Available.** Respond to the best of your ability, even if documents are not available. Explain any qualified response. If you do not have the responsive information but know the person from whom the information may be obtained, identify the person.
3. **Document Submission.** Whenever requested to provide documents, provide copies of all responsive documents in your possession, custody or control. If a responsive document was, but no longer is, in your possession, custody or control, explain what was done with it. If another person has possession, custody or control of the document, identify the person. If the document was disposed of, explain when and why it was disposed of and who disposed of it.
4. **Use of Document in Place of Answer.** If a document provides the complete answer to a question, you may use it in place of a written answer by supplying the document and appropriately identifying the applicable portion of the document as answering a specific numbered question.
5. **Document Alteration or Deletion.** Explain the reason and identify the person responsible for any deleted, altered or redacted portion of a submitted document.
6. **Obligation to Correct.** If you later discover that any submitted information is incorrect, submit a corrected response as soon as possible.
7. **No Effect on Other Legal Obligations.** This information request in no way alters or relieves you of other legal responsibilities or restrictions.

### **DEFINITIONS**

The following terms shall have the following definitions for this Request for Information:

1. “Document” means all written, recorded, computer generated, or visually or aurally reproduced materials of any kind in any medium in your possession, custody or control or known by you to exist, including all originals, drafts and non-identical copies. The term

- includes, without limitation, all reports, studies, surveys, plans, transcripts, permits, licenses, deeds, maps, drawings, schematics, specifications, instructions, calculations, monitoring data, rental records, contracts, agreements, bid documents, purchase orders, work orders, invoices, manifests, payment records, spreadsheets, communication records, correspondence, notes, memoranda, photographs, and videos.
2. "Facilities" means Platforms Ellen (Facility No. CAF001147), Elly (Facility No. CAF001148) and Eureka (Facility No. CAF001149).
  3. "Surface preparation" means the process of treating the surface of the platform to increase its adhesion to coatings, and includes abrasive blasting, high pressure washing, solvent cleaning, and mechanical cleaning.
  4. "Permit" means NPDES General Permit CAG280000 Authorization to Discharge under the National Pollutant Discharge Elimination System for Oil and Gas Exploration, Development, and Production Facilities.
  5. "You" means Beta Operating Company, LLC dba "Beta Offshore", a division of Amplify Energy Corporation, its employees, and its contractors and consultants.

#### REQUEST FOR INFORMATION

Please provide the following documents, information, and communications by **January 7, 2019**. If no such document, information, and/or communication exist, then so state explicitly.

1. Provide documents regarding Best Management Practices (BMPs) or Standard Operating Procedures (SOPs) for surface preparations and coating removal (including abrasive blasting, high-pressure washing, solvent cleaning, and mechanical cleaning) to minimize the discharge of spent blast abrasives, paint chips, and paint overspray to the surrounding waters.
2. Provide a description of documents created and maintained related to oversight and verification of BMPs/SOPs during surface preparation. For example, such documents may include work permits, work orders, self-inspections, documentation of visual observations, and/or mechanisms to track spent blast abrasive and abrasive recovery.
3. Provide a description of surface preparation activities performed at Platform Eureka in the spring and summer of 2014, inclusive of April through July. Provide the beginning and end dates of surface preparation activities, the contractors conducting the activities, and a list of each day that surface preparation activities were performed.
  - a. Provide copies of all documents created and maintained related to oversight and verification of BMPs/SOPs for surface preparation activities during the dates listed above.

- b. Provide copies of all documents created and maintained to document daily visual monitoring as required by Section II.D.1 of NPDES Permit CAG280000 during the dates listed above.
  - c. Provide copies of all documents created and maintained related to testing waste streams generated during surface preparation, including abrasive blast residuals, lead paint, and TCLP tests during the dates listed above.
- 4. Provide a description of the type of blast abrasive, solvents and/or materials used for surface decontamination.
- 5. Provide the frequency (number of days) that surface preparation activities were conducted at the Facilities from January 1, 2014 through present.

